

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office JUL 28 2004

Returned to applicant for correction _____

Corrected application filed _____

Map filed JUL 18 1967 under 24009

The applicant **High Desert Winds, LLC** a Nevada limited liability company hereby makes application for permission to change the **Manner of Use** of water heretofore appropriated under **Permit 35776, Certificate 12878**

1. The source of water is **Underground (Well #3)**
2. The amount of water to be changed **1.783 c.f.s., not to exceed 305.429 MGA**
3. The water to be used for **Irrigation**
4. The water heretofore permitted for **Mining, Milling & Domestic**
5. The water is to be diverted at the following point **NE ¼ NE ¼, Section 2, T.5N., R.41E., M.D.B.&M., or at a point from which the NE Corner of said Section 2 bears N. 88° 15' E., a distance of 299 feet (Refer to Map filed under Permit 35776)**
6. The existing permitted point of diversion is located within **Unchanged**
7. Proposed place of use **Sections 1 & 12, T.5N., R.41E., M.D.B. & M.; Sections 5, 6 & 7, T. 5N., R.42E., M.D.B.&M.; Section 36, T.6N., R.41E., M.D.B.&M.; Sections 31 & 32, T.6N.,R.42E., M.D.B. & M. (Refer to map filed under Permit 40520)**
8. Existing place of use **Unchanged**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **Drilled and cased well equipped with pump, motor, meter and irrigation distribution system.**
12. Estimated cost of works **\$150,000.00**
13. Estimated time required to construct works **Two (2) years**
14. Estimated time required to complete the application of water to beneficial use **Five (5) years**
15. Remarks: **Water being changed by this application is to be used for the irrigation of 234.33 acres within the proposed place of use. Upon approval of this application, the total combined duty of Permits 35776, 40520, 40521, 40524, 42480, 42835 and 42836 will be reduced by 305.429 million gallons annually (907.33 acre-feet) .**

71501

s/Gregory M. Bilyeu
By Gregory M. Bilyeu
500 Damonte Ranch Parkway #1056
Reno, NV 89521

Compared sc/am

Protested _____

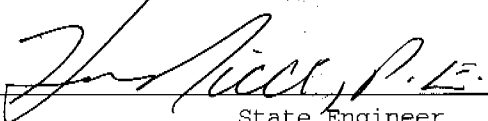
DENIAL OF STATE ENGINEER

This application is hereby denied on the grounds that its approval would conflict with existing rights and would threaten to prove detrimental to the public interest.

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 19th day of September, A.D. 2005.



State Engineer